

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROGER JUDGE,

Plaintiff,

12cv1784

**ELECTRONICALLY FILED**

v.

DR. B. JIN, ET AL.

Defendants.

**Order Adopting Report and Recommendation**

Before the Court is the Report and Recommendation of the Magistrate Judge (doc. no. 53) recommending that the Motion to Dismiss filed by Defendants Varner, Grego and Folino be granted. Objections to the Report and Recommendation were due by June 16, 2014. No objections were filed. The matter is ripe for disposition.

The district court must make a *de novo* determination of those portions of the report to which objections are made. 28 U.S.C. § 636(b)(1)(C); *see also Henderson v. Carlson*, 812 F.2d 874, 877 (3d Cir. 1987). This Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The district court judge may also receive further evidence or recommit the matter to the magistrate judge with instructions

**AND NOW**, this 23rd day of June 2014, upon a *de novo* review of the Report and Recommendation, and hearing no objections thereto, it is hereby **ORDERED, ADJUDGED AND DECREED** as follows:

**IT IS ORDERED** that the Report and Recommendation (doc. no. 53) is **ADOPTED** as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Defendants' Motion to Dismiss (doc. no. 41) is **GRANTED** and Defendants Varner, Grego and Folino are **DISMISSED** from this lawsuit.

**SO ORDERED** this 23rd day of June, 2014.

s/Arthur J. Schwab  
Arthur J. Schwab  
United States District Judge

cc: All Registered ECF Counsel and Parties

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